



MEMORANDUM

TO: Mayor and City Councilors

FROM: Richard Hicks, Interim City Manager
April Onley, City Clerk

DATE: June 27, 2022

REF: Consideration: Approval of Annexation Petition submitted by Ward and Smith, P.A. as representative of Two Farms, Inc.– Parcel ID: 7993 972938

BACKGROUND:

A petition for voluntary annexation (attached) has been received from Ward and Smith, P.A. as representative of Two Farms, Inc. for a property located on the north side of Halstead Boulevard Extension (Parcel ID: 7993 972938) and east of Mt. Everest Drive North. The property is currently owned by Ponderosa Landco, LLC. The petition involves one tract of land totaling 57.40 acres that is contiguous to the present City limits on all sides. After a title search from the City Attorney and certification by the City Clerk as to the sufficiency of petition for the requested annexation, it was determined that the petition of voluntary annexation could move forward for City Council to accept the resolution of sufficiency for the petition and to call for a public hearing. During the City Council meeting on May 22, 2022, staff gave a presentation on the case and City Council accepted the resolution of sufficiency for the petition and called for a public hearing to take place on June 13, 2022 at 7 pm in Council Chambers. There was not a quorum to conduct a public hearing on June 13th, so this case has been moved for a public hearing to take place on Monday, June 27th at 7 pm.

ANALYSIS:

The voluntary annexation process first requires that the City Council consider an ordinance directing the City Clerk to investigate the sufficiency of the petition which was approved through resolution on April 25, 2022. The City attorney then concluded a title search of property. At the May 23, 2022 City Council meeting, the City Clerk brought a certification back to the City Council for further consideration and action through a call for a public hearing and a resolution to accept the certification of the sufficiency of the

petition. On May 23rd, City council adopted a resolution to accept the certification of sufficiency and called for a public hearing to take place on June 13, 2022 at 7 pm pursuant to G.S. 160A-31. The public hearing was then pushed back to Monday, June 27th at 7 pm in Council Chambers. The public hearing has been advertised as required, along with adjacent property owner notification.

STAFF RECOMMENDATION:

By motion, approve the annexation petition and adopt the attached ordinance for 57.40 acres on the north side of Halstead Boulevard Extension (Parcel ID: 7993 972938) and east of Mt. Everest Drive North contiguous to the current municipal limits of the City of Elizabeth City.



ORDINANCE #2022-06-27
ADOPT ORDINANCE TO APPROVE VOLUNTARY ANNEXATION
A PETITION RECEIVED UNDER G. S. 160A-31
TWO FARMS, INC.
57.40 ACRES

WHEREAS, a petition requesting annexation of an area described in said petition has been received on April 25, 2022 by the City Council; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

WHEREAS, City Council accepted certification and adopted a resolution fixing date for public hearing on May 23, 2022;

WHEREAS, notice of said public hearing was published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of the said public hearing;

WHEREAS, adjacent property owners within 100 feet of the subject properties were notified of public hearing for voluntary annexation.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Elizabeth City:

Section 1: The area proposed for annexation is described as follows be approved for official annexation to the City of Elizabeth City's Municipal Limits:

COMMENCING at North Carolina Grid-NAD '83 "Tanglewood Control Monument 3" (N: 936716.2635', E: 2797655.1499'); thence N 75° 51' 14" E 1196.49 feet to a calculated point on the northern right of way line of Halstead Blvd. Ext. N.C. Highway No. 344, the POINT OF BEGINNING; running thence from the beginning along the northern right of way line of Halstead Blvd. Ext., N 79° 19' 12" E 551.91 feet to a calculated point; thence continuing along the northern right of way line of Halstead Blvd. Ext. along a curve to the left having a radius of 5845.18 feet, a chord bearing and distance of N 76° 15' 48" E 623.37 feet and a tangent of 312.13 feet to a calculated point; thence continuing along the northern right of way line of Halstead Blvd. Ext. N 73° 11' 58" E 219.18 feet to an existing rebar; thence

leaving the northern right of way line of Halstead Blvd. Ext. and running N 16° 48' 41" W 77.48 feet to an existing rebar; thence along a curve to the right having a radius of 750.00 feet, a chord bearing and distance of N 4° 07' 42" W 329.34 feet and a tangent of 168.79 feet to an existing rebar; thence N 8° 33' 18" E 192.26 feet to an existing rebar; thence along a curve to the left having a radius of 700.00 feet, a chord bearing and distance of N 22° 20' 33" W 718.91 feet and a tangent of 418.90 feet to an existing rebar; thence N 53° 14' 24" W 195.30 feet to an existing rebar; thence along a curve to the right having a radius of 424.10 feet, a chord bearing and distance of N 36° 55' 34" W 238.26 feet and a tangent of 124.13 feet to a calculated point; thence S 72° 21' 05" W 310.22 feet to a calculated point; thence along a curve to the left having a radius of 170.00 feet, a chord bearing and distance of S 75° 46' 10" W 20.27 feet and a tangent of 10.15 feet to a calculated point; thence S 79° 11' 16" W 344.24 feet to a calculated point; thence along a curve to the left having a radius of 855.81 feet, a chord bearing and distance of N 66° 28' 06" W 579.99 feet and a tangent of 308.23 feet to a calculated point; thence S 10° 40' 32" E 380.02 feet to an existing rebar; thence continuing S 10° 40' 32" E 1556.37 feet to a calculated point; thence S 55° 40' 40" E 70.71 feet to the POINT AND PLACE OF BEGINNING, containing 57.40 acres, as shown on a survey titled "Boundary Survey for Tanglewood Development LLC., Mount Hermon Township, Pasquotank County, North Carolina" dated November 10, 2008, prepared by Paul J. Toti Land Surveying and recorded in Map Book 57, Page 38, in the office of the Register of Deeds of Pasquotank County.

ADOPTED, this the 27th day of June 2022

Edward Kirk Rivers
Mayor

Doris Walton
Deputy City Clerk